

in Civil Service Commission to Director of Office of Personnel Management (except as otherwise specified), effective Jan. 1, 1979, as provided by section 1-102 of Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, set out under section 1101 of Title 5.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 22 section 3671.

§ 905. Quarters, quarters allowances, and storage

(a) Entitlement

Under regulations which shall be prescribed by or under authority of the President, each teacher (other than a teacher employed in a substitute capacity) shall be entitled, in addition to basic compensation, to quarters, quarters allowance, and storage as provided by this section.

(b) Furnishing of living quarters or grant of allowance

Each teacher (other than a teacher employed in a substitute capacity) shall be entitled, for each school year for which he performs services as a teacher, to quarters or a quarters allowance equal to those authorized by section 5912 of title 5.

(c) Recess periods

Each teacher (other than a teacher employed in a substitute capacity) who is performing services as a teacher at the close of a school year and agrees in writing to serve as a teacher for the next school year may be authorized, for the recess period immediately preceding such next school year—

(1) quarters or a quarters allowance equal to those authorized by section 5912 of title 5, or

(2) in lieu of such quarters or quarters allowance, storage (including packing, drayage, unpacking, and transportation to and from storage) of his household effects and personal possessions.

(d) Failure to report for service; liability to United States

If a teacher does not report for service at the beginning of the next school year, he shall, except for reasons beyond his control and acceptable to the Department of Defense, be obligated to the United States in an amount equal to any quarters allowance which he may have received under subsection (c) of this section or in an amount equal to the reasonable value of any quarters or storage which he may have received under such subsection, or both, as the case may be.

(e) Employment in other positions during recess periods

Quarters, quarters allowance, and storage provided under this section shall be in lieu of any quarters, quarters allowance, and storage to which he otherwise might be entitled by reason of employment in another position during any recess period between two school years.

(Pub. L. 86-91, § 7, July 17, 1959, 73 Stat. 216; Pub. L. 87-172, § 1, Aug. 30, 1961, 75 Stat. 409.)

CODIFICATION

In subsecs. (b) and (c)(1), “section 5912 of title 5” substituted for “the Act of June 26, 1930 (5 U.S.C. 118a)” on authority of Pub. L. 89-554, § 7(b), June 6, 1966, 80 Stat.

631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to section 2355 of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1961—Subsec. (d). Pub. L. 87-172 inserted “except for reasons beyond his control and acceptable to the Department of Defense”.

DELEGATION OF FUNCTIONS

Functions vested in President by subsec. (a) of this section concerning authority to prescribe regulations relating to quarters and quarters allowances delegated to Secretary of State pursuant to Ex. Ord. No. 12228, July 24, 1980, 45 F.R. 49903, set out as a note under section 707 of Title 38, Veterans’ Benefits.

Authority of President under subsec. (a) of this section to prescribe regulations relating to storage (including packing, drayage, unpacking, and transportation to and from storage) of household effects and personal possessions delegated to Administrator of General Services, see section 1(19) of Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, set out as a note under section 301 of Title 3, The President.

Secretary of State empowered to prescribe regulations relating to cost-of-living allowances, see section 4(a) of Ex. Ord. No. 10903, Jan. 11, 1961, 26 F.R. 217, set out as a note under section 5921 of Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 907 of this title.

§ 906. Entitlements in addition to basic compensation

(a) Cost-of-living increase and additional compensation

Under regulations which shall be prescribed by or under authority of the President, each teacher (other than a teacher employed in a substitute capacity) shall be entitled, in addition to basic compensation, to—

(1) cost-of-living allowances equal to those authorized by section 5924 of title 5, and

(2) additional compensation equal to that authorized under section 5941 of title 5.

(b) Post differential

The cost-of-living allowances and additional compensation provided under subsection (a) of this section for any teacher shall be based on the teaching position in which he rendered services on a school-year basis, except that, if such teacher is employed in another position during any recess period between two school years, such allowances and compensation for such recess period shall be based on the position in which he is employed during such recess period.

(Pub. L. 86-91, § 8, July 17, 1959, 73 Stat. 216; Pub. L. 96-465, title II, § 2206(d), Oct. 17, 1980, 94 Stat. 2162.)

CODIFICATION

In subsec. (a)(2), “section 5941 of title 5” substituted for “section 207 of the Independent Offices Appropriation Act, 1949 (5 U.S.C. 118h)” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to section 2356 of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1980—Subsec. (a)(1). Pub. L. 96-465 substituted reference to section 5924 of title 5 for reference to section 1131(2) of title 22.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of Title 22, Foreign Relations and Intercourse.

DELEGATION OF FUNCTIONS

Functions vested in President by subsec. (a) of this section concerning authority to prescribe regulations relating to cost of living allowances delegated to Secretary of State pursuant to Ex. Ord. No. 12228, July 24, 1980, 45 F.R. 49903, set out as a note under section 707 of Title 38, Veterans' Benefits.

Functions of President under subsec. (a) of this section delegated to Director of Bureau of the Budget, now Director of Office of Management and Budget, see section 1(10) of Ex. Ord. No. 11230, June 28, 1965, 30 F.R. 8447, set out as a note under section 301 of Title 3, The President.

Secretary of State empowered to prescribe regulations relating to quarters and quarters allowance, see section 4(a) of Ex. Ord. No. 10903, Jan. 11, 1961, 26 F.R. 217, set out as a note under section 5921 of Title 5, Government Organization and Employees.

REGULATIONS APPLICABLE TO PAYMENT OF ADDITIONAL COMPENSATION

For provisions relating to payment of additional compensation authorized by subsec. (a)(2) of this section in accordance with the regulations contained in Ex. Ord. No. 10000, see section 1-101 of Ex. Ord. No. 12228, July 24, 1980, 45 F.R. 49903, set out as a note under section 707 of Title 38, Veterans' Benefits.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 907 of this title.

§ 907. Applicability of other laws

In the case of any teacher who—

(1) is performing services as a teacher at the close of a school year,

(2) agrees in writing to serve as a teacher for the next school year, and

(3) is employed in another position in the recess period immediately preceding such next school year, or, during such recess period, receives quarters, allowances, or additional compensation referred to in sections 905 and 906 of this title, or both, as the case may be,

section 5533 of title 5 shall not apply to such teacher by reason of any such employment during a recess period or any such receipt of quarters, allowances, or additional compensation, or both, as the case may be.

(Pub. L. 86-91, §10(b), July 17, 1959, 73 Stat. 217; Pub. L. 88-448, title IV, §401(n), Aug. 19, 1964, 78 Stat. 492.)

CODIFICATION

“Section 5533 of title 5” substituted in text for “section 301 of the Dual Compensation Act” on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to section 2358(b) of Title 5 period to the general revision and enactment of Title 5 by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1964—Subsec. (b). Pub. L. 88-448 made section 301 of the Dual Compensation Act inapplicable and struck out

provisions which referred to former section 62 of title 5 and section 6 of the act of May 10, 1916.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 5533.

CHAPTER 25A—OVERSEAS DEFENSE DEPENDENTS' EDUCATION

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| <p>Sec. 921.</p> <p>922.</p> <p>923.</p> <p>924.</p> <p>925.</p> <p>926.</p> <p>927.</p> <p>928.</p> <p>929.</p> <p>930.</p> | <p>Defense dependents' education system.</p> <p>(a) Establishment.</p> <p>(b) Program purposes and activities.</p> <p>(c) Consultation requirements.</p> <p>(d) Optional summer school programs.</p> <p>Office of Dependents' Education.</p> <p>(a) Establishment; appointment, etc., of Director.</p> <p>(b) Implementation of program functions of Secretary of Defense through Director.</p> <p>(c) Functions of Director.</p> <p>(d) Establishment of regional or area offices; organizational, etc., report to Congress; authorized number of civilian employees.</p> <p>Tuition-paying students.</p> <p>(a) Enrollment of ineligible child in system school.</p> <p>(b) Determination of amount of tuition; use of payments.</p> <p>(c) Regulations respecting enrollment requirements.</p> <p>(d) Enrollment of certain children in overseas schools.</p> <p>Annual educational assessment.</p> <p>(a) Contents.</p> <p>(b) Availability.</p> <p>Budget request for school construction funds for Director of Dependents' Education.</p> <p>School system for dependents in overseas areas.</p> <p>(a) Establishment and operation.</p> <p>(b) Tuition payment requirements for attendance in schools outside of system.</p> <p>(c) Continuation of enrollment for certain dependents of members of Armed Forces involuntarily separated.</p> <p>Allotment formula.</p> <p>(a) Establishment by regulation of minimum allotment formula; criteria.</p> <p>(b) Issuance, etc., of regulations.</p> <p>(c) Applicability of certain provisions.</p> <p>School advisory committees.</p> <p>(a) Establishment; functions; membership.</p> <p>(b) Election of members; regulations respecting qualifications and election procedures.</p> <p>(c) Members to serve without pay.</p> <p>Advisory Council on Dependents' Education.</p> <p>(a) Establishment; membership; Director.</p> <p>(b) Terms of office of members.</p> <p>(c) Meetings; functions.</p> <p>(d) Compensation, etc., of members.</p> <p>(e) Termination.</p> <p>Study of defense dependents' education system.</p> <p>(a) Scope; conduct and report to Director by contractor.</p> <p>(b) Consultation requirements respecting study specifications and contractor selection.</p> <p>(c) Reporting requirements of Director.</p> <p>(d) Additional studies authorized by Director; conduct, reports, etc.</p> <p>Regulations; issuance and contents.</p> <p>Definitions.</p> |
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